

Marcus Leinart
State Bar No. 00794156
Leinart Law Firm
11520 N. Central Exprwy, Ste 212
Dallas, TX 75243
469.232.3328 Phone
214.221.1755 Fax
ATTORNEY FOR DEBTORS

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

BILLY EDMOND BURCH XXX-XX-2329
HOLLY RHEA BURCH XXX-XX-2122

Case No. 15-44027-MXM-13

Chapter 13

Address: 4216 SAN PEDRO COURT
Address: FORT WORTH, TX 76179
Debtor(s)

Judge MARK X. MULLIN

DEBTOR'S MODIFICATION OF CHAPTER 13 PLAN POST-CONFIRMATION

MODIFICATION DATE: February 26, 2018

Language in italicized type in this *Plan Modification* shall be as defined in the General Order 2017-01, Standing Order Concerning Chapter 13 Cases and as it may be superseded or amended (General Order). All provisions of the General Order shall apply to this *Plan Modification* as if fully set out herein.

Pursuant to 11 U.S.C. §1329 the *Debtor* requests the following modification(s) to the *Debtor's* original or last modified Chapter 13 *Plan*.

**SECTION I
HISTORY OF THE CASE**

A.	Total Paid In (Received to Date):	\$ 33,399.76
	Amount Due to be Current:	\$ 1076.90
	Base Amount (Current):	\$ 93,676.66

Date of Calculation for Modification: February 26, 2018

B. Current Plan Payment to Trustee Amounts and Term:

<u>Start Date</u>	<u>Number Periods</u>	<u>Amount</u>
11/04/2015	4	\$700
03/04/2016	6	\$1325.00
09/04/2016	14	\$1361.00
12/04/2017	3	\$1750.00
03/04/2018	32	\$1850.00

SECTION II MODIFICATION

A. Reason for modification (MUST BE COMPLETED)

- ☒ (1) To cure *Plan* arrears to the *Trustee*.
☒ (2) To provide or modify treatment for Secured, Priority or Unsecured claim not previously provided.
☐ (3) To provide for payment to the *Mortgage Lender* through the Conduit Program.
☐ (4) To make *Plan* sufficient (based on allowed claims).
☐ (5) To modify the Unsecured Creditors' Pool from \$_____ to \$_____.
☐ (6) To modify the value of non-exempt property from \$_____ to \$_____.
☐ (7) To set aside Interlocutory Order.
☒ (8) Other: To change treatment of HOA dues to Surrender

B. New *Plan* Payment to *Trustee* Amount and Term:

The plan payment amount will be changed to \$ (new monthly pmt. amt.) PER MONTH TO THE TRUSTEE:

<u>*Start Date</u>	<u>Number Periods</u>	<u>Amount</u>
03/04/2018	31	\$1807.00

NEW BASE AMOUNT: \$91,237.76

*DEBTOR'S NEW PAYMENT START DATE MAY NOT BE MORE THAN THIRTY (30) DAYS FROM THE DATE OF THIS *PLAN MODIFICATION*.

C. BRINGING THE DEBTOR INTO THE CONDUIT PROGRAM (IN CASES FILED ON OR AFTER OCTOBER 1, 2016)

<u>MORTGAGEE</u>	<u># OF PAYMENTS</u>	<u>CURRENT POST-PETITION</u>	<u>FIRST CONDUIT PAYMENT</u>
<u>PAID BY TRUSTEE</u>	<u>MORTGAGE PAYMENT AMT.</u>	<u>DUE DATE (MM-DD-YY)</u>	

AND PROVIDE FOR ANY POST-PETITION MORTGAGE ARREARAGE:

<u>MORTGAGEE</u>	<u>TOTAL AMT.</u>	<u>DUE DATE(S)</u>	<u>%</u>	<u>TERM APPROXIMATE</u>	<u>TREATMENT</u>
		<u>(MM-DD-YY)</u>	<u>(MONTHS ___ TO ___)</u>		

The *Post-Petition Mortgage Arrearage* shall be paid by the *Trustee* in the allowed amount and at the rate of interest, if any, set out in this *Plan Modification*. To the extent interest is provided, it will be calculated from the date of the approval of this *Plan Modification*.

D. PROVIDE FOR OR MODIFY TREATMENT OF SECURED CLAIMS TO:

<u>P/M</u>	<u>Creditor Name</u>	<u>Claim Amount</u>	<u>Descr. of Collateral</u>	<u>Value</u>	<u>Int. Rate</u>	<u>Treatment</u>
					(\$/Mo; Pro Rata; Dir.; Surr)	

M Lago Vista At Bonds Ranch \$1200.00 HOA Dues \$ 1200.00 % Sur

The automatic stay shall be terminated and the *Trustee* shall cease disbursements on any secured claim which is secured by the *Surrendered Collateral* (Surr), without further order of the court, pursuant to General Order 2016-01, paragraph 8.

E. PROVIDE FOR OR MODIFY TREATMENT OF PRIORITY CLAIMS TO:

<u>P/M</u>	<u>Creditor Name</u>	<u>Claim Amount</u>	<u>Treatment (\$/Mo; Pro Rata)</u>
------------	----------------------	---------------------	------------------------------------

F. *Debtor's Counsel* fee for this modification:

Total amount of \$400.00, of which \$400.00 will be disbursed by the *Trustee* according to the Order of Payment set out in the confirmed *Plan* or last subsequently approved *Plan Modification*.

SECTION III

ALL OTHER PROVISIONS AS SET FORTH IN THE LAST CONFIRMED PLAN OR SUBSEQUENTLY APPROVED PLAN MODIFICATION REMAIN THE SAME.

Date: February 26, 2018

/s/ Marcus Leinart

Marcus Leinart
State Bar No. 00794156
Leinart Law Firm
11520 N. Central Exprwy, Ste 212
Dallas, TX 75243
469.232.3328 Phone
214.221.1755 Fax
ATTORNEY FOR DEBTORS

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing DEBTOR'S MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION was served upon the Debtor(s) and the parties listed below by or under the direction of the undersigned by United States First Class Mail, postage paid, and electronically by the Clerk and all other parties entitled to electronic notice on the date of filing hereof: (List)

Dated: February 26, 2018

/s/ Marcus Leinart